

REMARKS

The Examiners' time and cooperation in their interview with Applicant's attorney on February 4, 2010, is, of course, appreciated.

The present invention relates to a built-in or recessed lamp having a housing 10 with an open end 9. The housing 10 is adapted to be mounted in an installation surface 12 so that its open end 9 is open to the room being illuminated. The housing 10 also includes a bulb fitting adapted to receive a light bulb 6.

A top surface of the housing 10 forms a first reflector 7. A second reflector 4 is positioned in between the first reflector 7 and the open end 9 of the housing 10. This second reflector 4 is releasable from the housing 10 to facilitate a bulb change.

The first reflector 7 reflects light around an outer periphery of the second reflector 4. Consequently, the second reflector forms a direct light reflector, i.e. light which can travel directly from the light bulb out through the reflector without any reflection, so that the opening of the reflector 4 defines a direct light discharge region. This direct light discharge region 1 is surrounded by a diffuse light discharge region 2. Consequently, the diffuse light discharge region 2 extends between the outer periphery of the second reflector 4 and the housing 10.

A plate 13 extends at least between the second reflector 4 and the open end 9 of the housing 10 so that the plate 13 covers the diffuse discharge region 2. Preferably, this plate 13 also extends across and covers the direct light discharge region 1 which is defined by the lower open end of the second reflector 4.

More importantly, however, the plate 13 is attached to the second reflector 4 so that the plate 13 and second reflector 4 are removable from the housing 10 to provide access to the bulb for changing the bulb.

All of the claims in this case have been extensively amended so that the claims now better conform to United States patent practices. The claims have also been carefully amended to more clearly define Applicant's invention over the prior art.

The Patent Examiner, however, has rejected claims 1-16, i.e. all of the claims in this application, as unpatentably obvious over U.S. Patent No. 7,014,341 to King when combined with U.S. Patent No. 2,244,737 to Stewart. Applicant, however, respectfully submits that the claims as amended now patentably define Applicant's invention over the prior art references of record.

More specifically, the King patent admittedly discloses a recessed light which is adapted to be mounted within an installation surface as perhaps best shown in FIG. 1 of King. Thus, King is a recessed lamp.

The King patent also further discloses a direct light reflector 14 (see FIG. 3) as well as a housing having an inner surface disposed around the direct reflector 14 and which itself at least in part forms a reflector.

The King patent, however, differs from Applicant's invention in that the King patent fails to disclose a plate which extends at least across the diffuse discharge region, i.e. the region between the housing 10 and the first reflector 4, which is clearly defined in claim 1, the only independent claim in the instant application. Likewise, the King patent also fails to disclose that the direct reflector 14 of King is removable together with the plate (which does not exist in the King patent) so that the plate and the reflector 14 are removable as a unit to provide access for a bulb change. Indeed, on the very last line of page 2 of the Patent Examiner's November 19, 2009, Office Action, the Patent Examiner acknowledges that the King patent fails to disclose the plate 13 as defined in claim 1.

In order to meet this deficiency of King, the Patent Examiner relies upon the Stewart patent. The Stewart patent discloses a number of different embodiments, such as the embodiments 12 and 13 which are discussed in the Office Action, as well as the embodiment which is described in FIG. 2 and which was discussed at the aforementioned interview. As understood, it is the Examiner's initial position that the lens 60 of Stewart corresponds to the plate 13 and that this lens 60 or "plate" is attached to the direct reflector 64 of Stewart. Applicant, however, respectfully submits that this interpretation of the Stewart patent simply is not correct.

More specifically, reference character 64 in the Stewart patent does not correspond to a direct reflector at all, but rather corresponds to the lamp housing. However, even assuming that the housing 64 of Stewart corresponds to the direct reflector of Applicant's invention, it still does not read on Applicant's claims as they are now amended.

More specifically, claim 1 now clearly defines that the plate 13 is attached to the reflector 4 and that the plate 13 and reflector 4 are removable from the housing "as a unit". In the Stewart patent, it is simply not possible to remove the lens 60 and "reflector" 64 from the housing for two reasons. First, the Stewart "reflector" 64 is attached to the bulb fitting 66 which has a smaller cross-sectional area than the bulb 67 itself. Consequently, if the lens 60 of Stewart and "reflector" 64 of Stewart were to be removed "as a unit" as required by claim 1 in the instant application, the upper end of the Stewart "reflector" 64 would break the light bulb 67 since it has a smaller diameter than the light bulb 67. This is true regardless of which embodiment of Stewart the Patent Examiner relies upon, i.e. FIG. 13, 12 or FIG. 2.

Furthermore, during the interview the Patent Examiner indicated that the screw or bolt 37 (FIG. 2) of Stewart could be removed whereupon the Stewart reflector and lens could be

removed as a unit. Applicant disagrees since it appears that the opening in the housing 27 of Stewart would still be less than the diameter of the light bulb 24. However, even if this were not the case, in order to remove the bolt 37 as suggested by the Patent Examiner, it would be necessary to first remove the lens 41 of Stewart from the "reflector" in order to permit access to the bolt 37. As such, the lens 41 is not attached to the second reflector as required by claim 1 in the instant application.

Secondly, but just as importantly, claim 1 in the instant application clearly defines that the second reflector is removable from the housing as a unit together with the plate. In the Stewart patent, however, there simply is not a separate housing and a second reflector, but rather a single element. Consequently, it simply would not be possible to remove the second reflector from the housing of Stewart, since they both constitute the same element.

In view of the foregoing, Applicant respectfully submits that claim 1 patentably defines Applicant's invention over the prior art of record and is, therefore, allowable. All remaining claims in this application depend from claim 1 and are, therefore, also allowable. Such action is respectfully solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1180.

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Respectfully submitted,

Electronic Signature: /Douglas W. Sprinkle/
Douglas W. Sprinkle

Registration No.: 27,394
GIFFORD, KRASS, SPRINKLE, ANDERSON
& CITKOWSKI, P.C.

2701 Troy Center Drive, Suite 330

Post Office Box 7021

Troy, Michigan 48007-7021

(248) 647-6000

(248) 647-5210 (Fax)

Attorney for Applicant